

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**ELIZABETH KOVACH and
JASON W. SHERIDAN,**

Plaintiffs,

V.

BANK OF AMERICA, N.A.,

Defendant.

Civ. Action No. 3:11-cv-00645-DVVD

DEFENDANT BANK OF AMERICA'S RULE 26(a) DISCLOSURES

Defendant Bank of America, N.A. (“BANA”), by counsel, makes the following initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1).

Rule 26(a)(1)(A)(i): the name and, if known, the address and telephone number of each individual likely to have discoverable information—along with the subjects of that information—that the disclosing party may use to support its claims or defenses, unless solely for impeachment.

Response:

1. Jason W. Sheridan. Mr. Sheridan has information regarding the credit dispute and his alleged damages.
2. Elizabeth Kovach. Ms. Kovach has information regarding the credit dispute and her alleged damages.
3. Representative of Equifax Information Services, LLC. Equifax has information regarding the credit dispute and the settlement entered into with the Plaintiffs.
4. Representative of Experian Information Solutions, Inc. Experian has information

regarding the credit dispute and the settlement entered into with the Plaintiffs.

5. Representative of TransUnion, LLC. TransUnion has information regarding the credit dispute and the settlement entered into with the Plaintiffs.

6. Employees of Freddie Mac, 8200 Jones Branch Drive, McLean, VA 22102-3110. Freddie Mac may have information regarding the credit dispute.

7. Representative of Chase Cardmember Services, P.O. Box 15298, Wilmington, DE 19850-5298. Chase Cardmember Services has information regarding the use of the Plaintiff's credit report in determine Plaintiff's available credit and terms of credit.

8. Representative of Macy's Red Star Rewards Visa Card, 9111 Duke Blvd., Mason, OH 45050. Macy's has information regarding the use of the Plaintiff's credit report in determine Plaintiff's available credit and terms of credit.

9. Jason W. Sheridan's direct supervisor at Enterprise Holdings. This individual has information regarding Mr. Sheridan's departure from Enterprise Holdings.

10. Andrea Loveless, American Financial, Loan Modification – Home Saver Program 1828 E Gary Avenue, Suite 112, Santa Ana, CA 92705. Ms. Loveless has information regarding the credit dispute and the Plaintiff's damages.

11. Aaron Khor, American Financial, Loan Modification – Home Saver Program 1828 E Gary Avenue, Suite 112, Santa Ana, CA 92705. Mr. Khor has information regarding the credit dispute and the Plaintiff's damages.

12. Cindy Knutsen, American Financial, Loan Modification – Home Saver Program 1828 E Gary Avenue, Suite 112, Santa Ana, CA 92705. Ms. Knutsen has information regarding the credit dispute and the Plaintiff's damages.

13. Celina Ramos, American Financial, Loan Modification – Home Saver Program

1828 E Gary Avenue, Suite 112, Santa Ana, CA 92705. Ms. Ramos has information regarding the credit dispute and the Plaintiff's damages.

14. Jesus Barragan, American Financial, Loan Modification – Home Saver Program 1828 E Gary Avenue, Suite 112, Santa Ana, CA 92705. Mr. Barragan has information regarding the credit dispute and the Plaintiff's damages.

15. Philip Oh, Law Office of Andrea Loveless, 114 Pacifica, Suite 215, Irvine, CA 92618. Mr. Oh has information regarding the credit dispute and the Plaintiff's damages.

16. Erin Riley, Law Office of Andrea Loveless, 4 Pacifica, Suite 215, Irvine, CA 92618. Ms. Riley has information regarding the credit dispute and the Plaintiff's damages.

17. Jenifer Porter, Bank of America Home Loans. Ms. Porter may have information regarding the credit dispute.

18. Vicky Crawford, Bank of America. Ms. Crawford may have information regarding the credit dispute.

19. Marsha Barley, Bank of America. Ms. Barley may have information regarding the credit dispute.

20. Alma Padua, Bank of America. Ms. Padua has information regarding the credit dispute.

21. Premwadee Wongsaprome. Mr. Wongsaprome may have information regarding the credit dispute.

22. Teroy Kelsey, Bank of America. Mr. Kelsey may have information regarding the credit dispute.

23. Mazel Brown, Bank of America. Mr. Brown may have information regarding the credit dispute.

24. Vanessa Harris, Bank of America. Ms. Harris may have information regarding the credit dispute.

25. Ashley Arellano, Bank of America. Ms. Arellano may have information regarding the credit dispute.

26. Tim Huval, Bank of America. Mr. Huval may have information regarding the credit dispute.

27. Caroline Pederson, Bank of America. Ms. Pederson may have information regarding the credit dispute.

28. Davin Warner, Bank of America. Mr. Warner may have information regarding the credit dispute.

29. Latresia Jones, Bank of America. Ms. Jones may have information regarding the credit dispute.

30. Nekeisa Powell, Bank of America. Ms. Powell may have information regarding the credit dispute.

31. Shanietra Dunn, Bank of America. Ms. Dunn may have may have information regarding the credit dispute.

32. All witnesses identified by the Plaintiffs at any point during this litigation.

BANA reserves the right to amend this disclosure as discovery in this matter proceeds and additional individuals with knowledge of the facts are discovered.

Rule 26(a)(1)(A)(ii): a copy—or a description by category and location—of all documents, electronically stored information, and tangible things that the disclosing party has in

its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment.

Response:

At this stage of the litigation, BANA has identified the following categories of documents and/or electronically stored information that BANA may use to support its defenses in this case:

- Documents related to loan transaction between Plaintiffs and BANA;
- Documents related to the Plaintiff's credit dispute;
- Correspondence between any party and any Credit Reporting Agencies;
- Documents related to the Plaintiff's claimed damages

All of these categories of documents are in the possession of BANA and can be obtained through counsel at a mutually agreeable time and place. In addition, to the extent these documents are responsive to discovery requests, they will be produced under separate cover.

Rule 26(a)(1)(A)(iii): a computation of each category of damages claimed by the disclosing party—who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered.

Response:

Not applicable.

Rule 26(a)(1)(A)(iv): for inspection and copying as under Rule 34, any insurance agreement under which an insurance business may be liable to satisfy part or all of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment.

Response:

Not applicable.

Respectfully Submitted,

BANK OF AMERICA, N.A.

/s/ Jacob S. Woody
Jacob S. Woody (VSB No. 77485)
McGuireWoods LLP
310 Fourth Street, N.E., Suite 300
Post Office Box 1288
Charlottesville, VA 22902
(434) 977-2562 (Telephone)
(434) 980-2278 (Facsimile)
jwoody@mcguirewoods.com

Counsel for Defendant Bank of America, N.A.

